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Eric S. Hyman
Blakely, Sokoloff, Taylor & Zafman
12400 Wilshire Blvd., 7th Floor
Los Angeles, CA 90025

In re Application of :
LOH :
Application No.: 09/890,867 : COMMUNICATION AND
PCT No.: PCT/SG00/00012 :
Int. Filing Date: 31 January 2000 : NOTIFICATION OF
Priority Date: 02 February 1999 :
Attorney's Docket No.: 4890P001 : ABANDONMENT
For: METAL CASTING :

This communication is in response to applicant's requests for status filed 01 February 2002 and 11 April 2002 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 31 January 2000, applicant filed international application No. PCT/SG00/00012, which claimed a priority date of 02 February 1999. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 10 August 2000. A DEMAND for international preliminary examination was filed prior to the expiration of 19 months from the priority date. Accordingly, the thirty-month period for submitting the basic national fee for entering the national stage in the United States of America expired at midnight on 02 August 2001.

On 01 August 2001, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, inter alia: the basic national fee; the international application and an international preliminary examination report.

On 01 October 2001, applicant was mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) informing applicant of the need to provide an oath or declaration of the inventor, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International Application number and international filing date. Applicant was given two months to respond and advised that this time period could be extended with a proper petition and payment of fees.

On 01 February 2002, applicant filed a request for status and Official Filing Receipt for the above-identified application.

On 11 April 2002, applicant filed a request for status and Official Filing Receipt for the above-identified application.

DISCUSSION

Applicant requests the issuance of the Official Filing Receipt for Serial no. 09/890,867. A review of the application file and other Patent and Trademark Office records reveals that the requirements of 35 U.S.C. 371(c) for entry into the national stage in the United States of America have not been completed as indicated in the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed by the DO/EO/US on 01 October 2001. Since applicant has failed to comply with 35 U.S.C. 371 (c)(4), in that an oath or declaration in compliance with 37 CFR 1.497(a)-(b), executed by the inventor has not been submitted, applicants request for an Official Filing Receipt is dismissed without prejudice.

A review of the application files reveals that an oath or power of attorney in compliance with 37 CFR 1.497 (a)-(b) is not located therein, therefore, the application is abandoned for failure to respond to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed 01 October 2001 within the time period contained therein.

CONCLUSION

For the reasons above, the present application is ABANDONED and the request for Official Filing Receipt is DISMISSED without prejudice.

If the abandonment of this application is in error, applicant may wish to file a petition under 37 CFR 1.181 or applicant may wish to consider filing a petition to the Commissioner under 37 CFR 1.137(a) or (b) requesting that the application be revived. Any petition filed under 37 CFR 1.137(a) and/or a petition under 37 CFR 1.137(b) requesting that the application be revived must meet the criteria indicated in the recent revision of 37 CFR 1.137. This recommendation to file a petition under 37 CFR 1.137(a) or (b) should not be construed as an indication as to whether or not any such petition(s) will be favorably considered.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for mailing of a "Notification of Abandonment" (Form PCT/DO/EO/909).

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of the letter marked to the attention of the PCT Legal Office.

Leonard E. Smith
for Richard Cole
Legal Examiner
PCT Legal Office

Derek A. Putonen
Derek A. Putonen
Petitions Attorney
PCT Legal Office
Tel: (703) 305-0130
Fax: (703) 308-6459